

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Social Welfare – Guntur District – Guntur Mandal and Town – Acquisition of land to an extent Ac.6.08 cts bearing T.S. No. 719/1 &2 situated at Bongaralabeedu for providing house sites to weaker sections' people - Sanction of balance decretal charges as per orders passed by the Supreme Court of India in CA No.108/99 in AS No.406/92 in OP No.206/82 - Orders - Issued.

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SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No. 838

Dated. 11-12-2009.

Read the following:-

1. From the District Collector, Guntur, Rc. No. 2980/08-G1, dated. 22.02.2009.
2. From the Commissioner of Social Welfare, AP Hyderabad Lr.Rc.No.LA4/1700/2009, dated 18.04.2009.
3. From the Chief Commissioner of Land Administration, Hyderabad Lr. No.G2/563/2009, dated 19.06.2009

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ORDER:-

In the reference 3<sup>rd</sup> read above, the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has stated that, the land to an extent of Ac. of 6.08 cents, bearing T.S.No.719/1&2 of Guntur town (Bongaralabeedu) was acquired by the Land Acquisition Officer & RDO, Guntur, for providing house sites to weaker sections' people and he has passed an Award No.6/82, dated 29-3-1982 duly fixing the Market Value as Rs.20,000/- per acre along with Solatium @ 15% and interest 4%. The claimants have received the compensation under protest and their claims were referred to the Court of the Principal Subordinate Judge, Guntur U/s. 18 of The Land Acquisition Act. The Court has enhanced the land value from Rs. 20,000/- to Rs. 40/- per sq. yard (4,840 x 40 = Rs. 1,93,600 per acre) along with statutory benefits in LAOP No.206/82. As per the opinion of the G.P., the Land Acquisition Officer has filed an appeal before the Hon'ble High Court of A.P. and the claimants have also filed an appeal for further enhancement of compensation. The claimants also filed E.P. No. 33/92 for payment of decretal amount enhanced by the Civil Court pending finalization of the appeals by the High Court.

2. The Hon'ble High Court have issued interim orders to deposit  $\frac{3}{4}$  of the enhanced compensation in the Civil Court, vide order in CMP No. 8782/92 in A.S. No. 406/92 in OP. No. 206/82. As per the orders of Hon'ble High Court, the Government have issued orders vide G.O.Rt. No. 672, Social Welfare Department, dated 18.08.1992 for release of an amount of Rs.29,42,457-70 in LAOP No. 206/82 for depositing the amount in the Court of Principal Subordinate Judge, Guntur. The Hon'ble High Court have disposed the appeals filed by the Government and Claimants on 03.09.96, duly enhancing the compensation from Rs. 40/- per sq.yard to Rs. 75/- per sq.yard in AS No. 406/92. The Government have therefore filed Civil Appeal against the orders of the Hon'ble High Court of A.P. before the Hon'ble Supreme Court of India, New Delhi and the Supreme Court have disposed the appeal, duly reducing the compensation from Rs .75/- per sq. yard to Rs.70/- per Sq. Yard, vide its order, dated 27.07.2004 in C.A. No. 108 of 1999. Therefore, the Collector, Guntur District has proposed for release of an amount of Rs.61,59,068/- towards payment of balance decretal charges as per the orders of Supreme Court of India.

3. The Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad has, submitted a proposal for release of an amount of Rs.52,08,512/- only as per their calculations, to the Collector, Guntur District, towards payment of balance decretal charges.

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4. After careful examination of the proposal of the Collector, Guntur District and the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad, the Government hereby accord administrative sanction to the Commissioner of Social Welfare, AP, Hyderabad to release an amount of Rs.52,08,512/- (Rupees fifty two lakhs eight thousand five hundred and twelve only) to the Collector, Guntur District, towards payment of balance decretal charges in respect of the land acquired to an extent of Ac.6.08 cents, bearing T.S.No. 719/1 & 2 of Guntur Town (Bongaralabeedu) Guntur District for providing house sites to the weaker section's people, as per orders of Hon'ble Supreme Court of India in C.A. No. 108 of 1999, dated.27-7-2004.

5. The amount of expenditure sanctioned at para (4) above shall be met from the provision available in the Budget Estimates for 2009-10 and debited to the following head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (08) – Acquisition of House Sites for weaker sections under INDIRAMMA Programme – 310 – Grants-in-aid 312 – Other Grants-in-aid“.

6. The Commissioner of Social Welfare, Hyderabad, is directed to issue necessary proceedings to the Collector, Guntur District accordingly.

7. The Collector, Guntur District, is requested to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Exp.SW) Department as per the instructions issued by them vide their U.O. Note No.12869/196/A1/Exp.SW/2009, dated.22-5-2009 and U.O.No.15926/256/A1/Expr.SW/09, dated.17-8-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Commissioner of Land Administration, AP, Hyderabad.

The Commissioner of Social Welfare, AP, Hyderabad.

The District Collector, Guntur District.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.

The Accountant General, A.P, Hyderabad.

The District Treasury Officer, Guntur District.

The Finance (Exp.SW) Department.

Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH  
SOCIAL WELFARE (LA) DEPARTMENT

Memo. No.8612/LA.1/09-2      Dated. 11-12-2009.

Sub- SW – Guntur District – Guntur Mandal and Town – Land to an extent Ac.6.08 cts bearing T.S. No. 719/1 &2 was acquired for providing house sites to weaker sections' people - Release of balance decretal charges as ordered by the Supreme Court of India in CA No.108/99 in AS No.406/92 in OP No.206/82 - Delay in submission of proposals - Furnishing of report - Regarding.

Ref:- 1.From the Collector, Guntur, Rc. No. 2980/08-G1, dated 22.02.2009.  
2.From the Commissioner of Social Welfare, AP Hyderabad Lr.Rc.No.LA4/1700/2009, dated 18.04.2009.  
3.From the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, Lr. No. G2/563/2009, dated 19.06.2009

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The attention of the District Collector, Guntur is invited to the reference 1<sup>st</sup> cited. He is informed that the Hon'ble Supreme Court of India, New Delhi have disposed the Civil Appeal, filed by the Land Acquisition Officer / RDO, Guntur duly reducing the compensation from Rs .75/- per sq. yard to Rs.70/- per Sq. Yard, vide its order dated.27-7-2004 in C.A. Nos. 106 and 107 with 108 of 1999 it was not informed why the delay was caused in submitting the proposal to the Chief Commissioner of Land Administration, AP, Hyderabad after lapse of about five (5) years, which resulted in huge avoidable expenditure on the Government exchequer towards payment of interest component.

2. The District Collector, Guntur is therefore, requested to furnish the reasons for the report for the delay of about 5 years in submitting the proposal for release of balance decretal charges, from the date of orders delivered by the Supreme Court of India, New Delhi, to the date of proposal sent to Chief Commissioner of Land Administration, AP, Hyderabad, i.e. 22-2-2009..

V. NAGI REDDY,  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The District Collector, Guntur.

Copy to:

The Chief Commissioner of Land Administration, AP, Hyderabad.  
The Commissioner of Social Welfare, AP, Hyderabad.  
SC.

//FORWARDED::BY ORDER//

SECTION OFFICER